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Received & Inspected

NOV 3 - 2008

FCC Mail Room

July 17, 2008

Wireline Competition Bureau
C/O Office of The Secretary
Federal Communications Commission
445 12th Street Sw.
Washington, D.C. 20554

IN RE : Educational Radio For The Public of The New Millennium
vs Verizon New England, Inc.

Dear Sir:

Enclosed please find a petition of Educational Radio For The Pub
of The New Millennium, Inc. to deny Verizon New England Inc.
application to provide communication services to the State of
Rhode Island. Please file same.

Thank you for your cooperation in this matter.

Very truly yours,

Donald J. Nasif, Esquire

PETITION OF EDUCATIONAL RADIO FOR THE PUBLIC OF
THE NEW MILLENNIUM, INC. TO DENY VERIZON NEW ENGLAND,
INC. APPLICATION TO PROVIDE COMMUNICATION SERVICE
TO STATE OF RHODE ISLAND

Now comes Educational Radio for The Public of the New Millennium, Inc. and moves that the Federal Communication Commission deny any and all applications of Verizon New England, Inc., to provide any communication services to the residence of the State of Rhode Island. The reasons for the request is that on July 26, 2006, Educational Radio For The Public of The New Millennium Inc., (hereinafter referred to as Educational Radio) entered into a service contract with Verizon for a point to point copper T1 line that would connect their radio studio located at 39 Julian Street Providence, R.I. 02909 to the location of its tower site at 1505 South County Trail, East Greenwich, R.I. 02818. Under the service contract, one circuit box was to be installed at the studio site and the other circuit was to be installed at the tower site. Even though Verizon said that it had installed the second box at the tower site and that both locations were connected, Verizon never installed the second circuit box at the tower site.

Verizon sent the first bill for service it said it had installed in the sum of \$1,521.69 to Educational Radio on October 23, 2006 which bill was paid. The second bill was received by Educational Radio on November 22, 2006 in the sum of \$783.93 which was the monthly installment payment, said payment was made and both checks were cashed by Verizon.

On December 7, 2006, Educational Radio received bad news from New England Communication, which Educational Radio had hired to complete its audio connection with its tower site. New England Communication informed Educational Radio that there was a problem with the connection installed by Verizon. New England Communication advised Educational Radio that it needed to contact Verizon in order to fix the problem. Verizon was contacted to fix the problem, and they sent a technician out to fix the problem. The technician advised Educational Radio representative that the problem was fixed and that everything was working properly. New England Communication was contacted to finish the job, but New England Communication informed us that they could not continue servicing Educational Radio because they did not do business with Verizon. Educational Radio had to pay to New England Communication the sum of \$131.25 for checking out the circuit.

On December 11, 2006, Educational Radio contacted Dave Doherty from Skywaves, Inc. Dave Doherty came out to the studio and also went to the tower site and then informed Educational Radio that the radio station could not go on the air because there were problems with the T1 line. He also informed Educational Radio that there was no circuit box installed at the tower site for the T1 line. Verizon was contacted again about the problem, but Verizon informed our representative that everything was operating, when in fact it was not and Verizon refused to do anything concerning the T1 line, except to continue to charge for a line that did not work, or exist. Verizon said that the T1 line was operating, but no one can connect to the T1 line at the tower site.

Dave Doherty from Skywaves, Inc. advised us that he could temporarily connect the station by wiring the audio through the windows media player on the company's laptop computer. In the meantime, Dave Doherty, the engineer, ordered a different type of connection called DSL. This type of service was rendered useless because the audio signal would constantly fail and was extremely unstable. The company continued with DSL for a full year and kept up its payments for the service contract for DSL with the hope that Verizon would hold up its end of the contract on DSL that the service would work which it failed to do. Verizon did not comply with the time arrangement on the DSL installation which was scheduled for December 19, 2006; the DSL was not installed until January 13, 2007. The delay of almost one month, further prevented Educational Radio from the use of its license to broadcast its messages over the airwaves.

The DSL connection continued to breakdown and Tech Plus Computers came numerous times to reboot the connection which resulted in a total loss of the use of the station. In January 2008, Educational radio canceled the DSL service with Verizon because the DSL did not work properly. Educational Radio has not been able to obtain any audio connection between the studio and the tower. Furthermore, the only company that offers the T1 line copper service to the tower owned by American tower is Verizon. All other companies that have been contacted by Educational Radio in order to install a copper T1 line cannot provide the service. The only connection these other companies is through the internet, which is not secure.

Educational Radio has searched for other companies to provide T1 line service that it is looking for, but the estimated cost is around \$13,000.00. Thus, Educational Radio has not had any audio connection in the studio from January 2008 to the present. This situation has caused both financial and emotional distress to the company and its employees.

Educational Radio has gone to local authorities concerning this situation, but have been told that they have no jurisdiction over the matter.

On March 22, 2007, a letter was sent to Verizon by our lawyer to Verizon explaining the problems the company was experiencing and the damages the company was suffering. A response to the lawyer's letter sent to Verizon was never received by the company or anyone else connected to the company. No effort has been made by Verizon to correct the problems with the T1 line. Verizon has been charging the company for a service it has failed to provide to the company. Meanwhile, the company has been paying expenses in order to keep operating, but it has not been able to produce any sort of income because of the company's inability to transmit any signal.

On the other hand, Verizon has been planning to invest \$86 million dollars to expand their network throughout Rhode Island. The company will be working along with the Governor of Rhode Island and other state officials in order to allow Verizon to build a fiber-to-home network coverage. Educational Radio feels as though this investment in Rhode Island may be the reason why the Rhode Island officials will not help the company to pursue justice against Verizon for their breach of contract against Educational Radio because they have befriended each other.

WHEREFORE, petitioner move that the Federal Communication Commission deny any and all applications of Verizon New England, Inc. to provide communications services to the residences of the State of Rhode Island, and such other and further relief as this Honorable Federal Communication Commissions deem meet and just.

EDUCATIONAL RADIO FOR THE
PUBLIC OF THE NEW MILLENNIUM
BY ITS PRESIDENT


Carlos Vasequez, President

Donald J. Nasif
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March 22, 2007

Verizon
P.O. Box 1100
Albany, N.Y. 12250-001

In RE: Educational Radio account number 40M160108841

Dear Sir:

Your company has been charging my client for a T1 line to its tower located at 1505 South County Trail, East Greenwich, R.I. Said line was never installed. Your have been collecting money from my client which you were not entitled to receive.

Please install the line and give my client a credit for the money you have charged them for a line that does not exist.

Thank you for your cooperation in this matter.

Very truly yours,

Donald J. Nasif, Esquire



*Verizon and Gov Donald Carcieri
all state of RI*

All Verizon

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News Release

Verizon to Invest \$86 Million to Expand Network in Rhode Island in 2008

Company to Offer Revolutionary Fiber Network, FIOS TV and High-Speed Internet Services in More Communities; Hire 50 More Employees

April 30, 2008

Media Contact:

Lillian McGee, 401-525-2134

Phil Sarloro, 617-743-4760

PROVIDENCE, R.I. - Consumers in Rhode Island can expect to see Verizon's exciting new FIOS TV services and faster High Speed Internet services in more places this year.

Verizon Wednesday (April 30) announced a major capital investment of approximately \$86 million in new network technology for Rhode Island in 2008. The plan extends Verizon's revolutionary new FIOS TV service to an additional 10 communities and expands its Providence-based Fiber Solutions Center, where at least 50 more union-represented technicians and customer service representatives will be hired. A total of 350 new jobs have been created since the center opened in 2006.

The company also will upgrade its Verizon High Speed Internet Service, based on DSL technology, to eight communities in the Ocean State: Cranston, Hope Valley, Jamestown, Narragansett, Pawtucket, Providence, Tiverton and Weekapaug.

The new service, featuring download speeds of up to 7 megabits per second, more than doubles the speed of Verizon's current highest speed DSL offering and is designed to leapfrog speeds offered by cable companies.

Earlier this year, Verizon Wireless announced that it spent \$292 million to upgrade its New England voice and data networks and hired more than 500 employees in the region in 2007. With this investment, every Verizon Wireless cell site in New England offers wireless broadband connectivity.

Expanding the revolutionary All-Fiber Network

In Rhode Island, FIOS TV is currently available in Coventry, Cranston, East Greenwich, Exeter, Foster, Hopkinton, Johnston, Narragansett, North Kingstown, North Providence, Providence, South Kingstown, Warwick, West Greenwich, and West Warwick. The company also has approval to offer the service in Charlestown, Richmond, Scituate and Westerly and is seeking licenses to offer FIOS TV in Burrillville, Central Falls, Cumberland, East Providence, Glocester, Lincoln, North Smithfield, Pawtucket, Smithfield and Woonsocket. By the end of this year, Verizon expects to offer FIOS TV in all 29 of these communities, reaching an estimated 80 percent of Rhode Island households and businesses.

A. Press

Donna Cupelo, Verizon region president for Massachusetts and Rhode Island, credited the state's political leadership for "being willing partners in economic development" by focusing on fostering competition and capital investment.

The company will work with Gov. Donald L. Carcieri's administration and state legislators to explore ways to leverage new investments in Verizon's revolutionary fiber-to-the-home network into expanded coverage throughout the state.

"With this capital investment plan we are making a major commitment to our customers and our employees in Rhode Island," Cupelo said. "We believe the time and the climate are right for growing our investments and expanding our technology deployment. We will continue to make significant investments in the Ocean State to expand our world-class network and deliver the innovative and reliable services that Rhode Island residents and businesses have come to expect."

Bill McGowan, business manager for IBEW Local 2323, which represents Verizon workers in Rhode Island, said, "We have the best technology and workforce to deliver broadband and cutting-edge cable TV services to customers across Rhode Island. We've demonstrated we can compete and win over customers with our people and our services."

In the past year, Verizon has brought new competition to the cable TV market in Rhode Island as it expands and upgrades its network, which carries the company's FIOS TV, FIOS Internet and phone services over new fiber-optic connections directly to homes.

Cupelo said that while competition for phone, super-fast Internet and cable TV service in Rhode Island is at an all-time high, customer interest in Verizon's triple-play and quadruple-play (phone, TV, Internet and wireless) bundles continues to rise.

Said Cupelo, "Our customers appreciate the reliability of our networks; they trust in the company; and they want the convenience of obtaining all of these services from us in a package that's priced competitively. Rhode Island continues to be an important market for us, and we will continue to serve it well."

Verizon's continued investment in its networks and increasing deployment of broadband and TV services "has created a robust marketplace in Rhode Island that has resulted in the development of innovative new technologies, competitive pricing, and a sharpened focus on customer service, all of which bodes well for Rhode Island consumers and the state's economy," Cupelo said.

FIOS TV, provided over the nation's most advanced all-digital, fiber-optic network straight to customers' homes, has become Verizon's flagship product. It offers a better-quality picture, plus a wide variety of high-definition and on-demand programs, and more reliable service at competitive prices.

Introduced in Rhode Island last June, FIOS TV is now available to more than 170,000 households. When the service expands to the new communities this year, it will be available to more than 350,000 households - more than double the current total.

"There is tremendous customer demand for the service," said Cupelo. "FIOS TV customers rave about it and are telling their family and friends to get it. It's a must-have. We are trying to make it available to as many customers as we can, as quickly as we can."

In addition to FIOS TV, Verizon's fiber network also allows the company to offer consumers and businesses high-speed FIOS Internet service, the fastest in the marketplace, at download speeds up to 50 Mbps (megabits per second) and

upload speeds up to 20 Mbps.*

* NOT F: actual (throughput) speeds will vary.

Verizon Communications Inc. (NYSE:VZ), headquartered in New York, is a leader in delivering broadband and other wireline and wireless communication innovations to mass market, business, government and wholesale customers. Verizon Wireless operates America's most reliable wireless network, serving more than 67 million customers nationwide. Verizon's Wireline operations include Verizon Business, which delivers innovative and seamless business solutions to customers around the world, and Verizon Telecom, which brings customers the benefits of converged communications, information and entertainment services over the nation's most advanced fiber-optic network. A Dow 30 company, Verizon employed a diverse workforce of approximately 232,000 as of the end of the first quarter 2008 and last year generated consolidated operating revenues of \$93.5 billion. For more information, visit

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Verizon: Investing in Rhode Island

Verizon provides unparalleled voice, data and video services in the Ocean State.

Below you'll find some good data demonstrating Verizon's commitment to the communities where we live and work.

Providence ★

- We have more than 559,000 lines in service.
- We invested \$107.3 million in plant and equipment in 2006.
- We operate a fleet with 545 vehicles.
- We own or manage 221 buildings or locations in Rhode Island.
- We partner with nearly 1,043 vendors and suppliers.
- 1,286 of our 1,452 employees live here.
- Our RI employee payroll is approximately \$75.4 million annually.
- We pay roughly \$33.7 million annually in state taxes.
- We pay approximately \$28 million annually in healthcare costs for employees and retirees.
- We pay \$27.4 million annually to more than 1,915 retirees in RI.

- 5,982 Verizon shareowners live here.
- We made \$491,824 in charitable and civic contributions in Rhode Island in 2006.

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Business

A very big bet on fiber-optic

01:00 AM EDT on Tuesday, August 26, 2008

By SAUL HANSELL

The New York Times



Verizon workers are running fiber-optic cable for the new FiOS option now available in some areas of the state. Jeff Boulet, of Seekonk, set up a drop-down splice for FiOS cable in Pawtucket last week.

The Providence Journal / Sandor Bodo

Four years ago, Verizon Communications embarked on an ambitious and expensive plan to run fiber-optic cables, which can deliver ultra-fast Internet service and dozens of high-definition video channels along with old-fashioned telephone service, past 19 million homes, roughly half its territory, which includes Rhode Island.

When the program was announced, Verizon's \$23-billion planned investment in the service, called FiOS, was met by a chorus of skeptics, both on Wall Street and among rivals.

Everyone understood that the copper wires of the phone system were being left behind by the faster networks of the cable industry. But why spend so much money on new wires when cell phones are becoming ubiquitous and profitable? Verizon rejected cheaper alternatives and decided to build the fiber system at an estimated cost of about \$4,000 for every customer.

Now, as Verizon begins to roll out FiOS in its hometown, New York, the company argues that the service is proving to be more successful than it promised when it started the project.

Despite prices that average well above \$130 for a bundle of Internet, TV and voice services, 20 percent of the homes where FiOS is available have signed up for its video service, and 24 percent buy the Internet service, which offers speeds up to five times faster than cable competitors.

"I have yet to see a market where penetration has stopped growing," said Robert J. Barish, Verizon's senior vice president and the chief financial officer of its wired communications division. The cost to run the fiber through neighborhoods is also falling below \$760 per home passed, Verizon's initial estimate. (The company spends an extra \$650 in equipment and labor to hook up each house ordering the service.)

Still, it might be a decade before anyone really knows whether Verizon's bet on FiOS is a smart investment in the future or a multibillion-dollar black hole.

The company has had to spend more than it would like on advertising and expensive giveaways, such as flat-screen TVs, to get new customers. Comcast and other cable companies are preparing to bolster their own Internet speeds and digital offerings.

In Rhode Island, Verizon offers FiOS in parts of 23 of the state's 39 cities and towns: Burrillville, Charlestown, Coventry, Cranston, East Greenwich, East Providence, Exeter, Foster, Hopkinton, Johnston, Narragansett, North Kingstown, North Smithfield, North Providence, Providence, Richmond, Scituate, South Kingstown, Warwick, Westerly, West Warwick, West Greenwich and Woonsocket.

The company plans to begin offering the service in Glocester and Smithfield by mid-September, said Lillian McGee, a Verizon spokeswoman. By the end of this year, it will offer the service in Lincoln, Cumberland, Central Falls and Pawtucket, she said.

Verizon has yet to apply for permission with state regulators to offer FiOS in two other service areas. They are Service Area 5 (Barrington, Bristol and Warren) and Service Area 7 (Jamestown, Little Compton, Middletown, Newport, Portsmouth and Tiverton). McGee said the company has not determined when it will file applications to begin the approval process.

In many ways, the long-term success of FiOS will depend on what new services are developed that will take advantage of the vast bandwidth of the fiber and how much customers will pay for them.

Barish argues that by spending now on the fiber network, Verizon will save a lot of money moving forward. And unlike its competitors, Verizon will not need further upgrades to offer faster data speeds or more high-definition TV channels.

"The network we are putting in is pretty future-proof," he said. Also, "if we weren't doing FiOS, we would have invested a lot more money in our core network. We haven't needed to do that."

Verizon's logic is starting to convince investors, especially when compared with the cheaper approach taken by AT&T, the nation's other large phone company. AT&T is relying on pumping more data through copper wires, but the company's technology has taken longer than expected to develop and appears to have far less capacity to deliver HDTV than FiOS.

"There was a raging debate a couple of years ago about who got it right, AT&T or Verizon," said Blair Levin, an analyst with Stifel, Nicolaus & Co. "Initially the investment community thought it was AT&T, but increasingly Verizon got their begrudging respect."

Verizon's stock, which lagged AT&T's after FiOS was first announced, is now performing better. From 2005 to the

end of 2006, Verizon's shares fell by 4.6 percent, while AT&T's shares rose by 38.7 percent in the same period. From the beginning of 2007 to now, Verizon has outperformed, with its shares falling 6.3 percent, better than the 12.2 percent decline of AT&T.

As of the end of the second quarter, there were 1.4 million FiOS television customers, up from 515,000 a year ago. Verizon also had 2 million FiOS Internet customers, up from 1.1 million last year.

Despite that customer growth, some critics say the revenue structure of FiOS does not justify its high capital costs.

"If I were an auto dealer and I wanted to give people a Maserati for the price of a Volkswagen, I'd have some seriously happy customers," said Craig Moffett, an analyst with Sanford C. Bernstein. "My problem would be whether I could earn a decent return doing it."

In a recent report, Moffett, one of Verizon's most persistent critics, walked his clients through detailed projections of how much Verizon would earn from FiOS and how much it would save because the fiber network is cheaper to maintain than the old copper wires. He concluded that Verizon would be \$6 billion in the hole when all was said and done.

Other analysts have reached different conclusions from the available data. Christopher Larsen of Credit Suisse calculates that if Verizon can get at least 20 percent of the potential customers to sign up for FiOS video, it will earn an acceptable profit.

And David Barden of Banc of America Securities argues that, for new Verizon investors, the return on Verizon's original investment does not matter.

"If you are an investor today thinking about what the prospects of FiOS are tomorrow, you don't look at what has been spent. You look at what needs to be spent," Barden said. "The 2008 investors owe the 2003 investors a debt of gratitude because the 2008 Verizon is in a vastly better competitive position than it otherwise would be."

Even if Moffett is right and Verizon comes out \$6 billion behind on FiOS, that amount is almost lost in a company that has annual revenue of nearly \$100 billion and spends \$17 billion a year on capital improvements. Indeed, Verizon is dominated by wireless and business services. Service over wires to people's homes makes up only 15 percent of its revenue.

One option that Verizon did not find palatable was just sitting still. Voice telephone lines are headed toward extinction, the company forecasts, dropping 8.5 percent in the last year alone. And the speed of the digital subscriber line, or DSL, technology used to offer Internet service over copper wires has topped out at 3 megabits per second for many customers.

Meanwhile, cable companies such as Comcast and Time Warner have been very successful in bundling Internet-based phone service with lots of TV channels and high-speed Internet service of 6 megabits to 12 megabits a second. As consumers have demanded more video in their living rooms and on their computers, the cable companies have gained market share.

With FiOS offering current top Internet speeds of 50 megabits a second and a large menu of video offerings, Verizon is betting its packages will allow it to leapfrog over its cable rivals. Moreover, Verizon's fiber network has the capacity to add more data speed, video channels and other services without rewiring.

The service has been particularly popular among the more sophisticated customers attracted by higher Internet speeds, said Karl Bode, the editor of BroadbandReports.com.

"Deliver quality technology and cutting-edge speed, and customers respond," he said. "I'm preparing to move into a new home, and FiOS availability actually played a part in where I was willing to move. And I've probably been one of Verizon's most outspoken critics over the years."

The cable systems, in turn, are responding by cutting prices on voice service and developing new technology that can match the data speeds of FiOS and cram in more TV channels.

AT&T's less radical approach essentially seeks to match, rather than surpass, the speed of cable's Internet service. And while AT&T's Internet-based video service has some fancy features, it can transmit only one, eventually two, HDTV signals to each home at once.

Because it is using less mature technology than FiOS, AT&T's upgrade has gotten off to a slow start. At the end of the second quarter, AT&T's video service, called U-Verse, had 549,000 customers, up from only 51,000 a year earlier. That is just a bit more than 10 percent of the homes that could buy the service.

John Donovan, AT&T's chief technology officer, said the company might string fiber-optic cables to its customers' homes in the future. But he argues that it was a smarter choice to try to get as much life out of the copper wire as possible, betting the cost of fiber will drop over time.

"The last thing we want to do is overdeploy fixed capacity into the ground where there is no recovery for being wrong by putting in too much," he said. "The ideal way to deploy technology is on the last day as fast as possible, because it gets more capable and cheaper every day."

With Journal staff reports